

3764

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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P A T E N T & T R A D E M A R K O F F I C E

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/600,298
		Filing Date	June 20, 2003
		First Named Inventor	NIKOLCHEV, JULIAN N.
		Art Unit	3764
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	016355-002580US

ENCLOSURES (Check all that apply)

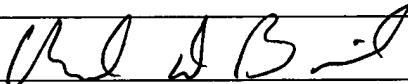
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Mark D. Barrish	Reg. No. 36,443
Signature		
Date	August 25, 2003	

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Typed or printed name	Edward Masinas		
Signature		Date	August 26, 2003

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PATENT
Attorney Docket No.: 016355-002580US

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On 08-26-03

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas
Edward Masinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JULIAN N. NIKOLCHEV et al.

Application No.: 10/600,298

Filed: June 20, 2003

For: CONTRACEPTIVE
TRANSCERVICAL FALLOPIAN TUBE
OCCLUSION DEVICES AND
METHODS

Examiner: Unassigned

Art Unit: 3764

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

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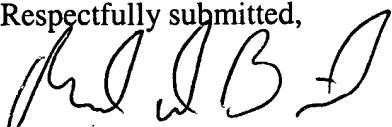
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/592,123 and 08/474,799 (now U.S. Patent Nos. 6,526,979 and 6,176,240), filed June 12, 2000 and June 7, 1995 (Attorney Docket Nos. 016355-002540US and 016355-002400US, respectively). It is requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Mark D. Barrish
Reg. No. 36,443

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Substitute for form 1449/PTO

Complete If Known

Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned

(use as many sheets as necessary)

Page 1 of 7

Attorney Docket Number 016355-002580US

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	RE 29,345	08-09-1977	Erb	
	2	2,365,296	12-19-1944	Schimpf	
	3	3,042,030	07-03-1962	Read	
	4	3,334,629	08-08-1967	Cohn	
	5	3,404,682	10-08-1968	Waldron	
	6	3,405,711	10-15-1968	Bakunin	
	7	3,422,813	01-21-1969	Braley et al.	
	8	3,463,141	08-26-1969	Mozolf	
	9	3,467,090	09-16-1969	Zollett	
	10	3,561,438	02-09-1971	Canel	
	11	3,598,115	08-10-1971	Horne, Jr.	
	12	3,675,642	07-11-1972	Lord	
	13	3,680,542	08-01-1972	Climber	
	14	3,687,129	08-29-1972	Nuwayser	
	15	3,722,500	03-27-1973	Robinson	
	16	3,768,102	10-30-1973	Kwan-Gett et al.	
	17	3,774,600	11-27-1973	Cognat	
	18	3,803,308	04-09-1974	Zipper	
	19	3,805,767	04-23-1974	Erb	
	20	3,858,571	01-07-1975	Rudolph	
	21	3,858,586	01-07-1975	Lessen	
	22	3,868,956	03-04-1975	Alfidi et al.	
	23	3,918,431	11-11-1975	Sinnreich	
	24	3,926,195	12-16-1975	Bleier et al.	
	25	3,973,560	08-10-1976	Emmett	
	26	4,057,063	11-08-1977	Gieles et al.	
	27	4,111,196	09-05-1978	Emmett	
	28	4,135,495	01-23-1979	Borgen	
	29	4,136,695	01-30-1979	Dafoe	
	30	4,158,050	06-12-1979	Zipper	
	31	4,160,446	07-10-1979	Barrington	
	32	4,181,725	01-01-1980	Voorhees et al.	
	33	4,185,618	01-29-1980	Corey	
	34	4,245,623	01-20-1981	Erb	

Examiner Signature

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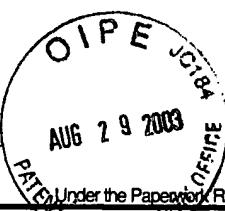
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¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete If Known

Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	016355-002580US

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	35	4,326,511	04-27-1982	Zimerman	
	36	4,353,363	10-12-1982	Sopeña Quesada	
	37	4,365,621	12-28-1982	Brundin	
	38	4,374,523	02-22-1983	Yoon	
	39	4,416,660	11-22-1983	Dafoe	
	40	4,478,837	10-23-1984	Schenker	
	41	4,485,814	12-04-1984	Yoon	
	42	4,509,504	04-09-1985	Brundin	
	43	4,537,186	08-27-1985	Verschoof et al.	
	44	4,579,110	04-01-1986	Hamou	
	45	4,595,000	06-17-1986	Hamou	
	46	4,601,698	07-22-1986	Moulding, Jr.	
	47	4,606,336	08-19-1986	Zeluff	
	48	4,612,924	09-23-1986	Cimber	
	49	4,628,924	12-16-1986	Cimber	
	50	4,638,803	01-27-1987	Rand	
	51	4,700,701	10-20-1987	Montaldi	
	52	4,715,365	12-29-1987	Cimber	
	53	4,727,866	03-01-1988	Livesay et al.	
	54	4,731,052	03-03-1988	Seitz, Jr.	
	55	4,788,966	12-06-1988	Yoon	
	56	4,805,618	02-21-1989	Ueda et al.	
	57	4,808,399	02-28-1989	Rypacek et al.	
	58	4,824,434	04-25-1989	Seitz, Jr.	
	59	4,932,421	06-12-1990	Kaali et al.	
	60	4,932,422	06-12-1990	Ragheb	
	61	4,937,254	06-26-1990	Sheffield et al.	
	62	4,983,177	01-08-1991	Wolf	
	63	4,994,069	02-19-1991	Ritchart et al.	
	64	5,002,552	03-26-1991	Casey	
	65	5,065,751	11-19-1991	Wolf	
	66	5,095,917	03-17-1992	Vancaillie	
	67	5,176,692	01-05-1993	Wilk et al.	
	68	5,207,684	05-04-1993	Nobles	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	016355-002580US

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	69	5,226,911	07-13-1993	Chee et al.	
	70	5,234,437	08-10-1993	Sepetka	
	71	5,250,071	10-05-1993	Palermo	
	72	5,261,916	11-16-1993	Engelson	
	73	5,304,194	04-19-1994	Chee et al.	
	74	5,304,195	04-19-1994	Twyford, Jr. et al.	
	75	5,312,415	05-17-1994	Palermo	
	76	5,354,295	10-11-1994	Guglielmi et al.	
	77	5,354,309	10-11-1994	Schnepf-Pesch et al.	
	78	5,382,259	01-17-1995	Phelps et al.	
	79	5,458,636	10-17-1995	Brancato	
	80	5,474,089	12-12-1995	Waynant	
	81	5,499,995	03-19-1996	Teirstein	
	82	5,514,176	05-07-1996	Bosley, Jr.	
	83	5,522,822	06-04-1996	Phelps et al.	
	84	5,555,896	09-17-1996	Cimber	
	85	5,556,396	09-17-1996	Cohen et al.	
	86	5,634,877	06-03-1997	Salama	
	87	5,725,777	03-10-1998	Taylor	
	88	5,755,773	05-26-1998	Evans et al.	
	89	5,795,288	08-18-1998	Cohen et al.	
	90	5,843,158	12-01-1998	Lenker et al.	
	91	5,885,601	03-23-1999	Sokal	RECEIVED SEP 03 2003
	92	5,897,551	04-27-1999	Everett et al.	
	93	5,954,715	09-21-1999	Harrington et al.	TECHNOLOGY CENTER R3700
	94	5,976,162	11-02-1999	Doan	
	95	5,979,446	11-09-1999	Loy	
	96	6,042,590	03-28-2000	Sporri et al.	
	97	6,066,139	05-23-2000	Ryan et al.	
	98	6,068,626	05-30-2000	Harrington et al.	
	99	6,096,052	08-01-2000	Callister et al.	
	100	6,143,007	11-07-2000	Muriant	
	101	6,164,280	12-26-2000	Everett et al.	
	102	6,176,240	01-23-2001	Nickolchev et al.	

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SignatureDate
Considered

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		Number Kind Code ² (<i>if known</i>)			
103		6,526,979	03-04-2003	Nickolchev et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				
	129	WO	94/06503	03-31-1994			<input type="checkbox"/>
	130	WO	94/10936	05-26-1994			<input type="checkbox"/>
	131	WO	94/11051	05-26-1994			<input type="checkbox"/>
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	133	WO	95/25490	09-28-1995			<input type="checkbox"/>
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	135	WO	97/49345	12-31-1997			<input type="checkbox"/>
	136	WO	98/26737	06-25-1998			<input type="checkbox"/>
	137	WO	98/55046	12-10-1998			<input type="checkbox"/>
	138	WO	98/26737	06-25-1998			<input type="checkbox"/>
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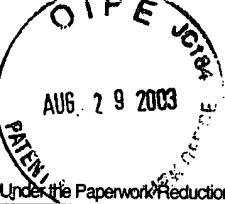
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Page 6 of 7

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Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	016355-002580US

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	140	Brueschke et al., "A steerable hysteroscopic and mechanical tubal occlusive devices" Advances in Female Sterilization Techniques, Sciarra et al., Eds., Harper & Row, Publishers, (1976) pp. 182-198.	
	141	Brueschke, E.E., et al., "Transcervical tubal occlusion with a steerable hysteroscope: Implantation of devices into extirpated human uteri," Am. J. Obstet. Gynecol., Vol. 127, No. 2, pp. 118-124, 1977.	
	142	Brundin, J., "Transcervical sterilization in the human female by hysteroscopic application of hydrogelic occlusive devices into the intramural parts of the Fallopian tubes: 10 years experience of the P-block," European Journal of Obstetrics & Gynecology and Reproductive Biology, Vol. 39, pp. 41-49, 1991.	
	143	Conceptus Annual Report (1995) pp. 3, 5, 7, 9, 13-14, and 22.	
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	145	Cooper, "Hysteroscopic Sterilization" Fertility Control (1985) Corson et al., Eds., Little, Brown & Co., Boston, First Edition, pp. 119-131.	
	146	Copy of REQUEST FOR INTERFERENCE WITH U.S. PATENT No. 6,096,052 UNDER 37 CFR §1.607 AND SECOND PRELIMINARY AMENDMENT, filed on October 3, 2001 with U.S. Patent Office.	
	147	Corfman, "An instrument for transcervical treatment of the oviducts and uterine cornua" Obstetrics and Gynecology (1996) 27(6):880-884.	
	148	Darabi et al., "Collaborative Study on Hysteroscopic Sterilization Procedures: Final Report" Risks, Benefits, and Controversies in Fertility Control (1978) Sciarra et al., Eds., Harper & Row, New York, pp. 81-101.	
	149	Erb, R.A. et al., "Hysteroscopic Oviductal Blocking with Formed-in-Place Silicone Rubber Plugs," Journal of Reproductive Medicine, pp. 65-68, August, 1979.	RECEIVED
	150	Gordon, A.G., et al., Atlas of Gynecologic Endoscopy, Mosby-Wolfe Press, 2 nd Edition, 1995 (Title Page and Table of Contents are enclosed herewith).	SEP 03 2003
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	152	Hamou, J. et al., "Hysteroscopic Reversible Tubal Sterilization," ACTA Europaea Fertilitatis, Vol. 15, No. 2, 1984.	
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	154	Quinones et al., "Hysteroscopic Sterilization" <i>Int. J. Gynaecol. Obstet.</i> (1976) 14:27-34.
	155	Reed, T.P. et al., "Tubal Occlusion with Silicone Rubber," <i>The Journal of Reproductive Medicine</i> , pp. 25-28, July, 1980.
	156	Richart et al., "Evaluation of Polymer Flock and Metal Alloy Intra-Tubal Device in Pigtail Monkeys" <i>Contraception</i> (1978) 18(5):459-468.
	157	Ross, P.L. et al., "Transcatheter Tubal Sterilization in Rabbits," <i>Investigative Radiology</i> , Vol. 29, No. 5, pp. 570-573, 1994.
	158	Sciarra, "Heteroscopic Approaches for Tubal Closure" <i>Research Frontiers in Fertility Regulation</i> (1980) Zatuchni et al., Eds., Harper & Row, New York, pp. 270-286.
	159	Sciarra, J.J., et al., eds., <i>Advances in Female Sterilization Techniques</i> , Harper & Row, Publishers, 1976, Title Page and Table of Contents are enclosed herewith, pp. 169-181, 186-189.
	160	Steptoe, Patrick C., "The Potential Use of Intratubal Stents for Reversible Sterilization," <i>Laparoscopy</i> , pp. 91-99, circa 1976.

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